



THE CITY OF SAN DIEGO

DATE OF NOTICE: January 5, 2011

PUBLIC NOTICE EMERGENCY COASTAL DEVELOPMENT PERMIT

DEVELOPMENT SERVICES DEPARTMENT

PROJECT TYPE:	EMERGENCY COASTAL DEVELOPMENT PERMIT/ EMERGENCY ENVIRONMENTAL EXEMPTION
PROJECT NO:	<u>PTS PROJECT NO. 228735</u>
PROJECT NAME:	<u>FLINKOTE/SORRENTO/SOLEDAD EMERGENCY CHANNEL MAINTENANCE</u>
APPLICANT/ CONTACT NAME:	Anne B. Jarque, Senior Planner, City of San Diego
COMMUNITY PLAN AREA:	Stormwater Department
COUNCIL DISTRICT:	Torrey Pines
	District 1
CITY PROJECT MANAGER:	Patricia Grabski, Development Project Manager
PHONE NUMBER:	(619) 446-5277

This public notice is to inform you that an Emergency Coastal Development Permit has been issued by the City of San Diego pursuant to Section 126.0718 to perform emergency maintenance of a concrete-lined drainage facility located at 11040 Roselle Street, identified as Map 9; and the channel segment of Soledad Creek between 10870 Roselle Street to 10373 Roselle Street (Maps 11, 12, & 13) to allow the mechanized removal of accumulated sediment, trash/debris and vegetation within these facilities to prevent flooding and increase the storm water conveyance capacity anticipated from a significant, high-flow rain event. The facilities are located within the Torrey Pines Community Planning area and the City of San Diego's Coastal Development Permit jurisdiction (Appealable Area 1).

Pursuant to San Diego Municipal Code Section 126.0718; Emergency Development requires the subsequent processing of a regular Coastal Development Permit. Therefore, a NOTICE of hearing for the subject application will occur at a subsequent date.

The project is exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15269, Emergency Projects. The regular Coastal Development Permit application will undergo environmental review.

If you have any questions about the project, you can call the City Project Manager listed above. This information will be made available in alternative formats upon request.

EMERGENCY COASTAL DEVELOPMENT
PERMIT NO. 818358
PTS NO. 228735

1. Anne B. Jarque, Senior Planner
Operations and Maintenance Division
Stormwater Department
(Name) December 29, 2010
(Date)
2. MS 908A
2781 Caminito Chollas
(Street Name and Number)
3. San Diego, CA 92105
(City, State, Zip)
4. No. 818358 (PTS No. 228735)
(Emergency Permit Number)
5. Concrete-lined drainage facility located at 11040 Roselle Street, identified as Map 9; and the channel segment of Soledad Creek between 10870 Roselle Street to 10373 Roselle Street (Maps 11, 12, & 13).
Location of Emergency Work
6. Emergency maintenance of a concrete-lined drainage facility located at 11040 Roselle Street, identified as Map 9; and the channel segment of Soledad Creek between 10870 Roselle Street to 10373 Roselle Street (Maps 11, 12, & 13) would allow the mechanized removal of accumulated sediment, trash/debris, and vegetation within the facility to prevent flooding and increase the storm water conveyance capacity anticipated from a significant, high-flow rain event.
Emergency Work Requested

December 29, 2010

Ms. Anne B. Jarque, Senior Planner
Operations and Maintenance Division
Stormwater Department
MS 908A

Subject: PTS No. 228735; Flinkote/Sorrento/Soledad Emergency Channel Maintenance;
Emergency Coastal Development Permit No. 818358

Dear Ms. Jarque:

This letter constitutes approval of the emergency work you have requested to be done at a concrete-lined drainage facility located at 11040 Roselle Street, identified as Map 9; and the channel segment of Soledad Creek between 10870 Roselle Street to 10373 Roselle Street (Maps 11, 12, & 13) within the Torrey Pines Community Planning area. Based on the submitted information, photographs of the flooding, hydraulic and hydrologic analyses prepared by a registered Civil Engineer the requested emergency work is authorized to prevent or mitigate loss or damage to life, health, property or essential public services.

Pursuant to Land Development Code Section 126.0718 - Emergency Coastal Development, the City can make the appropriate findings to prevent or mitigate the loss or damage to life, health, property or essential public services, as follows:

- a. *An emergency exists which requires action more quickly than permitted by the procedures for acquiring a Coastal Development Permit; and*

Emergency maintenance of a concrete-lined drainage facility located at 11040 Roselle Street, identified as Map 9; and the channel segment of Soledad Creek between 10870 Roselle Street to 10373 Roselle Street (Maps 11, 12, & 13) would allow the mechanized removal of accumulated sediment, trash/debris, and vegetation within the facility to prevent flooding and increase the storm water conveyance capacity anticipated from a significant, high-flow rain event.

As the direct result of the sudden and unexpected occurrence of high rainfall we received in the past several days, the Sorrento and Soledad Creeks, adjacent to Roselle Street, have now overtopped and is flooding adjacent properties and roadways. The Storm Water Department (SWD) has received several calls and Standard Notifications (SNs) by the businesses being flooded because the channel did not have the adequate capacity to hold and transport the amount of rainfall/storm water run-off downstream.

Through a coordinated effort with the City's Police Department, as well as the City's Fire, Life & Safety Department; public streets were closed and evacuations of businesses along Flinkote and Roselle Street, including Althea Biomed, were ordered to protect the public from the imminent threat to life and property due to flooding. Because the channel was overtopping,

Sorrento Valley Road from Carmel Valley Road south to the Sorrento Valley Trolley Station has been closed because the streets were impassable. Businesses have sustained severe damage and cars have been lost. As demonstrated by detailed hydrologic and hydraulic assessments, the proposed emergency needed is the minimum required to reduce flooding to further prevent or mitigate loss of, or damage to, life, health, property and essential public services.

The City anticipates several risk management claims to be filed documenting the damage to private property resulting from the flooding in the area. Since the San Diego region is only half-way through the rainy season, there is still a high potential that evacuations and further damage to public and private properties due to flooding could occur during the next rain event should emergency maintenance of these facilities not be authorized or completed.

Therefore, to prevent and mitigate for any further loss and damages to property and life, as documented by risk management claims, service notifications and photographs of flooded streets, immediate action to increase the carrying capacity within these channels must be performed now to reduce the frequency of flooding to the adjacent properties. Emergency maintenance activities are anticipated to be completed within ten working days and would alleviate the frequency of flooding to adjacent properties by increasing the storm water conveyance capacity within the channel

b. Public comment on the proposed emergency action has been solicited and reviewed to the extent feasible; and

Pursuant to Section 126.0718, a public notice will be issued and published in the San Diego Daily Transcript. A copy of the notice was distributed to the California Coastal Commission. In addition, the subject emergency project will be required to go through the standard permit application process for Coastal Development Permit, which will include public noticing to residences and tenants located within a 300-foot radius of the subject properties.

c. The work proposed would be consistent with the certified Local Coastal Program.

The concrete-lined drainage facility located at 11040 Roselle Street, identified as Map 9; and the channel segment of Soledad Creek between 10870 Roselle Street to 10373 Roselle Street (Maps 11, 12, & 13) are located within the Coastal Overlay Zone (Non-appealable Area 1) and the Torrey Pines Community and Local Coastal Program (LCP) planning area. The Torrey Pines LCP policies include provisions to protect hillsides, grading/water quality, wetlands/ environmentally sensitive resources, and visual resources. The proposed maintenance activities would occur within relatively level, concrete-lined drainage channels and would not encroach into any slopes or hillsides greater than 25 percent. Specific erosion control protocols, as identified on the Individual Maintenance Plans, will be implemented during maintenance activities to reduce potential downstream water quality impacts. The maintenance activities will

not increase the conveyance capacity beyond its as-built condition or include any permanent placement of any structure, concrete, revetment or armor in any water of the state. The emergency work would maintain the function of an incidental public service facility and therefore impacts to wetland habitat (environmentally sensitive lands) would be permitted. The loss of wetland vegetation would not be permanent because additional sediment deposition will occur in the channels and wetland vegetation will recruit and re-establish naturally between maintenance cycles. The City will implement specific protocols, such as flagging sensitive biological resource areas and avoiding maintenance during bird nesting season, that are designed to avoid or minimize impacts to wetlands. Spoils will be transported to an appropriate disposal facility (landfill) and both drainage facilities have access from adjacent paved and developed parking lots/driveways. Equipment will not be stored on-site and maintenance activities would be limited to 10 working days to reduce potential visual quality impacts during construction.

The work is hereby approved, subject to the following conditions:

1. The enclosed must be signed and returned to our office within 15 days.
2. **Only** that work specifically requested as described above and for the specific property listed above is authorized. Any additional work requires separate authorization from the City Manager.
3. **Within 120 days of the above date**, the Permittee shall apply for a regular Coast Development Permit to have the emergency work be considered permanent. **If a regular permit is not received, the emergency work shall be removed in its entirety within 150 days of the above date unless waived by the City Manager.**
4. **This permit does not eliminate the need to obtain necessary authorizations and/or permits from other agencies.**

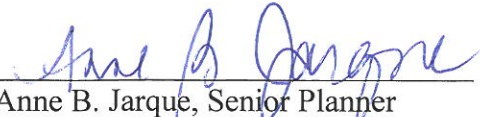
If you have any questions about the provisions of this authorization, please call the City of San Diego, Development Services Department.

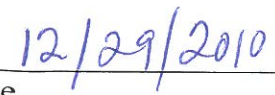
EMERGENCY PERMIT APPROVED:



Patricia Grabski, Development Project Manager

The undersigned agrees to each and every condition of this Permit and promises to perform each and every obligation.


Anne B. Jarque, Senior Planner
Stormwater Department


Date

SAP No. 21000287

Attachments: Public Notice
Notice of Exemption